

08 CV 4111

NOURSE & BOWLES, LLP
Attorneys for Plaintiff
SAMSUN LOGIX CORPORATION
One Exchange Plaza
At 55 Broadway
New York, NY 10006-3030
(212) 952-6200

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
SAMSUN LOGIX CORPORATION,	:	
	:	
Plaintiff,	:	
	:	08 Civ. ()
- against -	:	
	:	AFFIDAVIT IN SUPPORT OF
TONGLI SHIPPING CO., LTD.,	:	APPLICATION FOR
	:	<u>MARITIME ATTACHMENT</u>
Defendant.	:	
-----X	:	

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

John P. Vayda., being duly sworn, deposes and says:

1. I am a member of the firm of Nourse & Bowles, LLP attorneys for Plaintiff, Samsun Logix Corporation, and make this affidavit in support of Plaintiff's application for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

2. Based upon my inquiries and to the best of my information and belief, Defendant, Tongli Shipping Co., Ltd., is foreign corporation and cannot be "found" within this District for the purpose of attachment under Rule B. In support of this position, I and my staff have conducted the following investigation:

(a) I have directed my staff to contact the office of the New York Department of State, Division of Corporations on April 28, 2008, via the official Department of State website at <http://www.dos.state.ny.us> and conducted a search for a corporation named Tongli Shipping Co., Ltd. and the search results indicated that Tongli Shipping Co., Ltd. is not a New York corporation, nor is it licensed, authorized or registered to do business in the State of New York as either a domestic or international corporation;

(b) I have directed my staff to consult with Directory Assistance for New York on April 28, 2008 for area codes (212), (718), (917), (646), (347), (914), (845), and no listings for Tongli Shipping Co., Ltd. were located;

(c) I directed my staff to review the Journal of Commerce (Business Directory) Transportation Tickler, 2007 Edition (Vol. 1 New York Metropolitan Area) and no listings were found for Tongli Shipping Co., Ltd.;

(d) I have directed my staff to access on April 28, 2008, through Microsoft Internet Explorer and Yahoo! Search engines the yellow pages telephone directory database and found no listing in that database for any office or agent of Tongli Shipping Co., Ltd. in the State of New York;

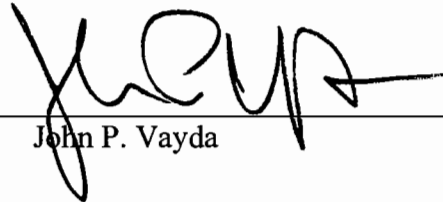
(e) I have directed my staff to access on April 28, 2008, the worldwide web through Microsoft Internet Explorer and Google search engines and found no listing for any office or agent of Tongli Shipping Co., Ltd. in the State of New York;

(f) I and my staff are unaware of any general or managing agent(s) within this District for Tongli Shipping Co., Ltd..

3. Based upon the foregoing, I submit that Defendant, Tongli Shipping Co., Ltd. cannot be "found" within this District for the purpose of an attachment pursuant to Rule B and therefore Plaintiff seeks an order of attachment against the tangible and intangible property of

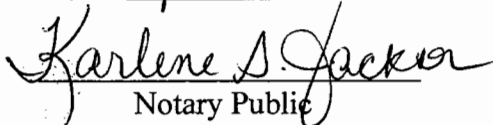
Tongli Shipping Co., Ltd. as may be found within this District up to and including the amount of the claim specified in the Verified Complaint.

4. No previous application for an Order of Attachment and Garnishment or similar relief has been sought in the United States in this matter.



John P. Vayda

Sworn and subscribed
to before me, this 30th
day of April, 2008



Notary Public

Karlene S. Jackson, Notary Public
State of New York, #01JA5083169
Qual. in Queens Cty. ~~New York City~~
Commission Expires November 17, 2011